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UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Civil No. \_\_\_\_\_

JUL 25 2024

CLERK  
U.S. DISTRICT COURT  
MINNEAPOLIS, MINNESOTA

United States of America,

Plaintiff,

**FILED UNDER SEAL**

v.

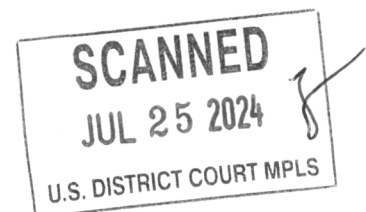
**UNITED STATES' *EX PARTE*  
MOTION FOR A  
TEMPORARY  
RESTRAINING ORDER AND  
OTHER EQUITABLE  
RELIEF**

1. Evergreen Recovery Inc.;
2. Evergreen Mental Health Services Inc.;
3. Ethos Recovery Clinic Inc.
4. Second Chances Recovery Housing Inc.;
5. Second Chances Sober Living, Inc.;
6. David Backus;
7. Shawn Grygo; and
8. Shantel Magadan,

Defendants.

Pursuant to 18 U.S.C. § 1345 and Federal Rule of Civil Procedure 65, Plaintiff United States of America moves this Court, on an *ex parte* basis without notice to Defendants, for issuance of a temporary restraining order and, upon a hearing to be scheduled not more than 14 days later, a preliminary injunction. The grounds for this Motion are set out in the United States' Memorandum in Support of Its *Ex Parte* Motion for a Temporary Restraining Order and Other Equitable Relief and the Affidavit of FBI Special Agent Kurt Beulke. For the reasons set forth in the attached Declaration of Emily M. Peterson, Defendants have not been given written or oral notice of this Motion pursuant to Federal Rule of Civil Procedure 65(b).

The United States has not previously applied for the relief sought in this Motion or any similar relief against Defendants.



Dated: July 25, 2024

ANDREW M. LUGER  
United States Attorney

*s/ Emily M. Peterson*

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